

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL &  
HEALTH CENTER, doing business as  
LEGACY EMANUEL MEDICAL CENTER;  
OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC  
NEUROSURGICAL, P.C.; JEFFERSON  
CHEN M.D.; MATTHEW A. SOLOMON, D.O.;  
K. DEAN GUBLER, D.O.; JAMES GILMORE,  
M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS,  
M.D.; WILLIAM LONG, M.D.

Defendants.

Case No.

COMPLAINT  
(Medical Negligence)

**Request for Jury Trial**

**Claim Amount: \$818,390.58**

**CLAIM NOT SUBJECT TO MANDATORY  
ARBITRATION**

Plaintiff Pamela F. Monette for her First Cause of Action alleges as follows:

THE PARTIES

1.

At all times mentioned herein, **Legacy Emanuel Hospital & Health Center**,  
(hereinafter "defendant hospital"), was doing business as Legacy Emanuel Medical Center, and  
is an active corporation formed under the laws of the State of Oregon, engaged in the business of  
owning and operating hospitals, medical centers and medical clinics and providing emergency,  
inpatient and outpatient treatment to patients in Multnomah County.

1 2.

2 At all times mentioned herein, defendant hospital held itself out to plaintiff and the  
3 patient public as a Level 1 Trauma Center which diagnosed and coordinated care of trauma  
4 patients through its specialists in emergency medicine, surgical and critical care medicine,  
5 radiology and anesthesiology. Defendant hospital provided treatment to plaintiff through its  
6 physicians, staff, employees and agents, both actual and apparent.

7 3.

8 At all times mentioned herein, defendant **Oregon Anesthesiology Group, PC**  
9 (hereinafter “defendant OAG”), was a professional corporation licensed in the state of Oregon  
10 and providing anesthesiology medical care to patients at defendant hospital through the actions  
11 of physicians either employed by or otherwise engaged as agents for both defendant OAG and  
12 defendant hospital.  
13

14 4.

15 At all times mentioned herein, defendant **Radiology Consultants, Inc.** (hereinafter  
16 “defendant RCI”), was a domestic private corporation licensed in the state of Oregon and  
17 providing radiology medical care to patients at defendant hospital through the actions of  
18 physicians either employed by or otherwise engaged as agents for both defendant RCI and  
19 defendant hospital.  
20

21 5.

22 At all times mentioned herein, defendant **Pacific Surgical, PC** (hereinafter “Pacific”),  
23 was a professional Corporation licensed in the state of Oregon and providing surgical and critical  
24 medical care to patients at defendant hospital through the actions of physicians either employed  
25 by or otherwise engaged as agents for both defendant Pacific and defendant hospital.

26 ///

1 6.

2 At all times mentioned herein, defendant **Pacific Neurosurgical, PC** (hereinafter  
3 “PNeurosurgical”), was a professional Corporation licensed in the state of Oregon and providing  
4 surgical and critical medical care to patients at defendant hospital through the actions of  
5 physicians either employed by or otherwise engaged as agents for both defendant PNeurosurgical  
6 and defendant hospital.

7 7.

8 At all times mentioned herein, defendant **Matthew R. Solomon, DO** was a physician,  
9 duly licensed to practice medicine within the state of Oregon, and practicing the medical  
10 specialty of emergency medicine and anesthesiology.

11 8.

12 At all times mentioned herein, defendant Solomon was acting either as an employee or  
13 agent of either hospital or defendant OAG, or both, and acting within the course and scope of his  
14 employment and/or agency and as part of defendant hospital’s Level 1 Trauma Center.

15 9.

16 At all times mentioned herein, defendant **Jefferson Chen, MD** was a physician, duly  
17 licensed to practice medicine within the state of Oregon, and practicing the medical specialty of  
18 neurosurgery.

19 10.

20 At all times mentioned herein, defendant Chen was acting either as an employee or agent  
21 of either hospital or defendant PNeurosurgical, or both, and acting within the course and scope of  
22 his employment and/or agency and as part of defendant hospital’s Level 1 Trauma Center.

23 ///

24 ///

11

At all times mentioned herein, defendant **K. Dean Gubler, DO** was a physician, duly licensed to practice medicine within the state of Oregon, and practicing the medical specialty of trauma surgery and critical care medicine.

12

At all times mentioned herein, defendant Gubler, DO was acting either as an employee or agent of either defendant hospital or defendant Pacific, or both, and acting within the course and scope of his employment and/or agency and as part of defendant hospital's Level 1 Trauma Center.

13.

At all times mentioned herein, defendant **James Gilmore, MD** was a physician, duly licensed to practice medicine within the state of Oregon, and practicing the medical specialty of radiology.

14.

At all times mentioned herein, defendant Gilmore was acting either as an employee or agent of either hospital or defendant RCI, or both, and acting within the course and scope of his employment and/or agency and as part of defendant hospital's Level 1 Trauma Center.

15.

At all times mentioned herein, defendant **Melissa Radecki, MD** was a physician, duly licensed to practice medicine within the state of Oregon, and practicing the medical specialty of emergency medicine and critical care medicine.

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///

///



1 16.

2 At all times mentioned herein, defendant Radecki was acting either as an employee or  
3 agent of defendant hospital and acting within the course and scope of her employment and/or  
4 agency and as part of defendant hospital's Level 1 Trauma Center.

5 17.

6 At all times mentioned herein, defendant **Ronald Barbosa, MD** was a physician, duly  
7 licensed to practice medicine within the state of Oregon, and practicing the medical specialty of  
8 emergency medicine and critical care medicine.

9 18.

10 At all times mentioned herein, defendant Barbosa was acting either as an employee or  
11 agent of defendant hospital and acting within the course and scope of his employment and/or  
12 agency and as part of defendant hospital's Level 1 Trauma Center.

13 19.

14 At all times mentioned herein, defendant **Joseph Williams, MD** was a physician, duly  
15 licensed to practice medicine within the state of Oregon, and practicing the medical specialty of  
16 emergency medicine and critical care medicine.

17 20.

18 At all times mentioned herein, defendant Williams was acting either as an employee or  
19 agent of defendant hospital and acting within the course and scope of his employment and/or  
20 agency and as part of defendant hospital's Level 1 Trauma Center.

21 21.

22 At all times mentioned herein, defendant **William Long, MD** was a physician, duly  
23 licensed to practice medicine within the state of Oregon, and practicing the medical specialty of  
24 emergency medicine and critical care medicine.

1 22.

2 At all times mentioned herein, defendant Long was acting either as an employee or agent  
3 of defendant hospital and acting within the course and scope of his employment and/or agency  
4 and as part of defendant hospital's Level 1 Trauma Center.

5 23.

6 On January 10, 2013 through February 4, 2013, plaintiff Pamela Monette, was a patient  
7 receiving medical care from defendant hospital and defendant physicians.

#### 8 ACTS AND OMISSIONS

9 24.

10 On January 10, 2013, plaintiff sustained a head injury in a fall and was taken to the  
11 emergency department of defendant hospital where she received examination, diagnosis and  
12 treatment for a traumatic brain injury. Plaintiff had a medical history of a previous gastric bypass  
13 surgery that was disclosed to defendant Chen, defendant Solomon, and attending nurses at the  
14 emergency department of defendant hospital on that same date.

15 25.

16 On the above date and time, in the course of plaintiff's emergency medical care at  
17 defendant hospital, defendant Solomon placed an orogastric feeding tube into plaintiff's stomach  
18 causing a perforation of the gastric bypass pouch and further injury to plaintiff.  
19

20 26.

21 On the above date and time, following placement of the orogastric tube, a CT scan and  
22 xray were taken of the area of tube placement. The imaging revealed the incorrect positioning of  
23 the orogastric tube and perforation injury. Despite the imaging results, defendant hospital's staff  
24 and/or aforementioned treating defendant physicians initiated feeding through the tube, causing  
25 the food infused to be deposited into the wound and surrounding area, causing further injury.  
26

1 27.

2 On January 11, 2013 through January 18, 2013 repeat xrays were taken that revealed the  
3 incorrect positioning of orogastric tube placement. Despite the imaging results, enteral tube  
4 feeding continued and the incorrect positioning of the tube and the perforation injury remained  
5 undetected until January 18, 2013.

6 28.

7 At the times and dates mentioned above defendant hospital was negligent in the care and  
8 treatment of plaintiff, their patient, in one or more of the following particulars:  
9

- 10 1. In failing to determine and consider patient's gastric bypass surgery history before  
11 attempting to insert and position a orogastric tube into plaintiff's stomach;
- 12 2. In positioning improperly the orogastric tube causing perforation of plaintiff's gastric  
13 pouch and further injuries;
- 14 3. In failing to place the orogastric tube in the gastric pouch;
- 15 4. In failing to discover that the orogastric tube had been incorrectly positioned into the  
16 stomach and had caused a perforation of the gastric pouch;
- 17 5. In initiating enteral feeds before correct placement of the orogastric tube was verified by  
18 radiology;
- 19 6. In initiating and continuing enteral feeds when radiology revealed incorrect placement  
20 of the orogastric tube;
- 21 7. In failing to use a fluoroscope to guide placement of a orogastric tube into plaintiff's  
22 gastric pouch due to anatomic changes from gastric bypass surgery;
- 23 8. In failing to have policies and procedures in place to coordinate and communicate  
24 radiology findings and reports that disclosed the incorrect positioning of the orogastric  
25  
26

1 tube to the team of physicians and staff providing critical care to plaintiff in the  
2 emergency room and intensive care unit;

3 9. In failing to diagnose that the orogastric tube was incorrectly positioned upon receipt of  
4 subsequent xray and CT scan imaging and/or reports and failing to diagnose that plaintiff  
5 had sustained a perforation injury from the apparent incorrect placement of the orogastric  
6 tube;

7  
8 10. In failing to have policies and procedures in place to coordinate communication and  
9 charting of plaintiff's history of previous gastric bypass to be considered by the team of  
10 physicians and staff providing critical care to plaintiff in the emergency room and  
11 intensive care unit.

12 29.

13 At the times and dates mentioned above defendant physicians were negligent in the care and  
14 treatment of plaintiff, their patient, in one or more of the following particulars:

- 15 1. In failing to determine and consider patient's gastric bypass surgery history before  
16 attempting to insert a orogastric tube into plaintiff's stomach;
- 17 2. In positioning improperly the orogastric tube causing perforation of plaintiff's gastric  
18 pouch and further injuries;
- 19 3. In failing to place the orogastric tube in the gastric pouch;
- 20 4. In failing to discover that the orogastric tube had been incorrectly positioned into the  
21 stomach and had caused a perforation of the gastric pouch;
- 22 5. In initiating enteral feeds before correct placement of the orogastric tube was verified by  
23 radiology.
- 24 6. In initiating and continuing enteral feeds when radiology revealed incorrect placement  
25 of the orogastric tube;
- 26

1 7. In failing to use a fluoroscope to guide placement of a orogastric tube into plaintiff's  
2 gastric pouch due to anatomic changes from gastric bypass surgery;

3 8. In failing to have policies and procedures in place to coordinate and communicate  
4 radiology findings and reports that disclosed the incorrect positioning of the orogastric  
5 tube to the team of physicians and staff providing critical care to plaintiff in the  
6 emergency room and intensive care unit.

7 9. In failing to diagnose that the orogastric tube was incorrectly positioned upon receipt of  
8 subsequent xray and CT scan imaging and/or reports and failing to diagnose that plaintiff  
9 had sustained a perforation injury from the apparent incorrect placement of the orogastric  
10 tube.  
11

12 30.

13 As a direct and proximate result of defendants' negligence, the orogastric tube's incorrect  
14 placement caused perforation of plaintiff's gastric bypass pouch, stomach and viscus. The eight  
15 day delay in discovery and diagnosis of the perforation injury caused plaintiff to further suffer  
16 pneumoperitoneum and multiple abscesses, all said injuries requiring two corrective surgeries  
17 and an extended hospitalization.

18 31.

19 As a direct and proximate result of the above described acts and omissions of defendants,  
20 plaintiff sustained the described permanent physical injury with resulting physical and mental  
21 pain, suffering, nausea, vomiting, related emotional distress, depression, and anxiety,  
22 interference with personal and family life, including inability and/or interference with ability to  
23 perform daily activities, surgical scars, all causing plaintiff noneconomic damages in a fair and  
24 reasonable amount not to exceed the sum of \$250,000.00.

25  
26 ///

32.

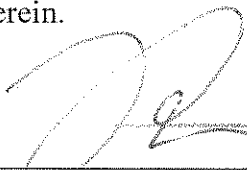
As a further direct and proximate result of the above described acts and omissions of the defendants, plaintiff has sustained and incurred reasonable and necessary medical expenses for the treatment of the perforation and treatment of related further injuries and conditions described above, including the expense of two corrective surgeries and extended hospitalization, resulting in economic damages in an amount not yet determined but not exceeding total costs of medical treatment and services incurred during the above described hospitalization, a sum of \$568,390.58, plus plaintiff may incur additional medical expenses in the future, both to be alleged specificity herein upon determination and prior to trial.

33.

As a further direct and proximate result of the above described acts and omissions of the defendants, medical expenses plaintiff incurred relating to the placement and use of the orogastric tube, including enteral feeds, were of no value, and plaintiff is therefore entitled to recover all fees incurred by plaintiff relating to said treatment, an amount of economic damages not yet determined, that is a portion of the total costs of past medical treatment referenced above, an amount not greater than \$568,390.58.

WHEREFORE, plaintiff prays for judgment against defendants for economic damages in an amount not to exceed \$568,390.58, plus economic damages for reasonable and necessary future medical expense, plus noneconomic damages not to exceed \$250,000.00, together with plaintiff's costs and disbursements incurred herein.

DATED: January 9, 2015.

  
 Robert S. Perkins, OSB No. 840814  
 Of Attorneys for Plaintiff  
 Trial Attorney: Robert S. Perkins, OSB No. 840814

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

FILED  
2015 JAN 22 PM 13:13  
CIRCUIT COURT  
FOR MULTNOMAH COUNTY

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. 15CV00583

AFFIDAVIT OF MAILING

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON

County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On January 12, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to Robert DeWitt.

The envelope was addressed as follows:

Robert DeWitt, Registered Agent for  
LEGACY EMANUEL HOSPITAL & HEALTH CENTER  
1919 NW Lovejoy St.  
Portland, OR 97209

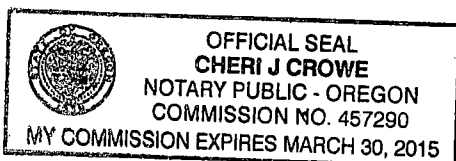
I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 15 day of January, 2015  
by Mary Brodbeck.

Cheri J Crowe  
Notary Public for Oregon

X

Mary Brodbeck  
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314817\*

Verified Correct Copy of Original 1/23/2015.

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Timothy Mason, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

Upon **LEGACY EMANUEL HOSPITAL & HEALTH CENTER**, by leaving such true copy, personally and in person, with Becky Miller, who is the person apparently in charge at the office of Robert DeWitt, who is the Registered Agent thereof, at 1919 NW Lovejoy St., Portland, OR 97209 on January 12, 2015 at 2:48 PM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 15 day of Jan, 2015.

X  
Timothy Mason  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314817\*

FILED  
2015 JAN 22 PM 3:12  
CIRCUIT COURT  
FOR MULTNOMAH COUNTY



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

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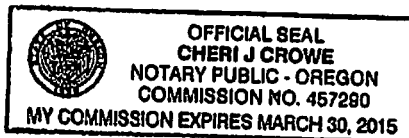
Robert DeWitt, Registered Agent for  
LEGACY EMANUEL HOSPITAL & HEALTH CENTER  
1919 NW Lovejoy St.  
Portland, OR 97209

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SUBSCRIBED AND SWORN BEFORE ME  
this 15 day of January, 2015  
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Cheri J Crowe  
Notary Public for Oregon

X [Signature]  
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
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PAMELA F. MONETTE,

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Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Timothy Mason, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

Upon **LEGACY EMANUEL HOSPITAL & HEALTH CENTER**, by leaving such true copy, personally and in person, with Becky Miller, who is the person apparently in charge at the office of Robert DeWitt, who is the Registered Agent thereof, at 1919 NW Lovejoy St., Portland, OR 97209 on January 12, 2015 at 2:48 PM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 15 day of Jan, 2015.



\*314017\*

X

Timothy Mason  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
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PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW  
A. SOLOMON, D.O.; K. DEAN GUBLER, D.O.;  
JAMES GILMORE, M.D.; MELISSA RADECKI,  
M.D.; RONALD BARBOSA, M.D.; JOSEPH WILLIAMS,  
M.D.; WILLIAM LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

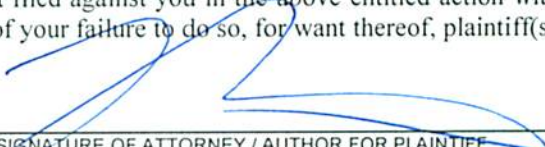
TO: LEGACY EMANUEL HOSPITAL & HEALTH CENTER  
Robert DeWitt, Registered Agent  
1919 NW Lovejoy Street  
Portland, OR 97209

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

**ROBERT S. PERKINS** **OSB#84081**  
\_\_\_\_\_  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

**4949 Meadows Rd, Suite 400**  
\_\_\_\_\_  
ADDRESS

**Lake Oswego, Oregon 97035 (503) 222-4449**  
\_\_\_\_\_  
CITY STATE ZIP PHONE

\_\_\_\_\_  
TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
\_\_\_\_\_  
ATTORNEY(S) FOR PLAINTIFF(S)



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FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

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CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW A.  
SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

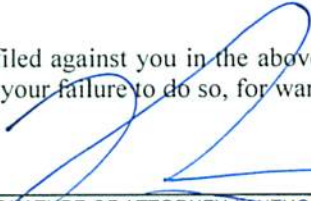
TO: OREGON ANESTHESIOLOGY GROUP, PC  
c/o Samia Haddad, Registered Agent  
707 SW Washington Street, Suite 700  
Portland, OR 97205

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

**ROBERT S. PERKINS** **OSB#84081**  
\_\_\_\_\_  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

**4949 Meadows Rd, Suite 400**  
\_\_\_\_\_  
ADDRESS

**Lake Oswego, Oregon** **97035** **(503) 222-4449**  
\_\_\_\_\_  
CITY STATE ZIP PHONE

\_\_\_\_\_  
TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
\_\_\_\_\_  
ATTORNEY(S) FOR PLAINTIFF(S)

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LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Timothy Mason, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an attorney for any party in the within named action; that I made service of a true copy of:

*Summons and Complaint*

CORPORATE SERVICE:

Upon **OREGON ANESTHESIOLOGY GROUP, PC**, by delivering such true copy, personally and in person, to Samia Haddad, who is the Registered Agent thereof, at 707 SW Washington St. #700, Portland, OR 97205 on January 23, 2015 at 2:55 PM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 24th day of Jan, 2015

X

Timothy Mason  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314261\*



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

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County of Multnomah

ss.

I, Mitch Wirth, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an attorney for any party in the within named action; that I made service of a true copy of:

*Summons and Complaint*

CORPORATE SERVICE - Pursuant to ORCP7D(3)(b)(i):

Upon **PACIFIC SURGICAL, PC**, by personal service upon ROXANNE DETRACY, the clerk on duty in the office of the registered agent, SW&W Registered Agents, Inc, 1211 SW 5th Ave, Suite 1900, Portland, OR 97204 on January 22, 2015 at 11:30 AM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 26<sup>th</sup> day of January, 2015.



\*314259\*

X Mitch Wirth  
Mitch Wirth  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW  
A. SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

TO: PACIFIC SURGICAL, PC  
c/o SW&W Registered Agents, Inc.  
1211 SW Fifth Avenue, Suite 1900  
Portland, OR 97204

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

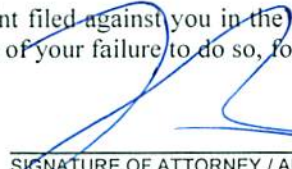
You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF  
**ROBERT S. PERKINS** OSB#84081  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)  
4949 Meadows Rd, Suite 400  
ADDRESS  
Lake Oswego, Oregon 97035 (503) 222-4449  
CITY STATE ZIP PHONE  
TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

ATTORNEY OF RECORD FOR PLAINTIFF(S)

ATTORNEY(S) FOR PLAINTIFF(S)



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

AFFIDAVIT OF MAILING

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On January 22, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to Terry Desylvia.

The envelope was addressed as follows:

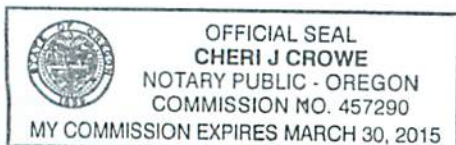
Terry Desylvia, Registered Agent for  
PACIFIC NEUROSURGICAL, PC  
1200 SW Main Building  
Portland, OR 97205

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 26 day of January, 2015  
by Mary Brodbeck.

Cheri J Crowe  
Notary Public for Oregon

X [Signature]  
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636





IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mitch Wirth, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an attorney for any party in the within named action; that I made service of a true copy of:

*Summons and Complaint*

CORPORATE SERVICE - Pursuant to ORCP7D(3)(b)(i):

Upon **PACIFIC SURGICAL, PC**, by personal service upon ROXANNE DETRACY, the clerk on duty in the office of the registered agent, SW&W Registered Agents, Inc, 1211 SW 5th Ave, Suite 1900, Portland, OR 97204 on January 22, 2015 at 11:30 AM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 26<sup>th</sup> day of January, 2015.



\*314259\*

X Mitch Wirth  
Mitch Wirth  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW  
A. SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

TO: PACIFIC NEUROSURGICAL, PC  
c/o Terry Desylvia, Registered Agent  
1200 SW Main Building  
Portland, OR 97205

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

ROBERT S. PERKINS OSB#84081  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

4949 Meadows Rd, Suite 400  
ADDRESS

Lake Oswego, Oregon 97035 (503) 222-4449  
CITY STATE ZIP PHONE

TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

ATTORNEY(S) FOR PLAINTIFF(S)

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

FILED  
2015 FEB 24 PM 4:04  
CIRCUIT COURT  
FOR MULTNOMAH COUNTY

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Kristin Siegrist, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

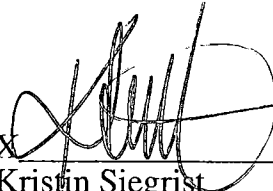
By delivering the aforementioned documents to **MATTHEW A. SOLOMON D.O.**, personally and in person, at 1400 NW Irving Street #731, Portland, OR 97209 on February 08, 2015 at 10:50 AM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 10<sup>th</sup> day of FEBRUARY, 20 15.



\*314755\*

X   
\_\_\_\_\_  
Kristin Siegrist  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

Case No. **15CV00583**

**AFFIDAVIT OF MAILING**

STATE OF OREGON

County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On January 30, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to MATTHEW A. SOLOMON, D.O..

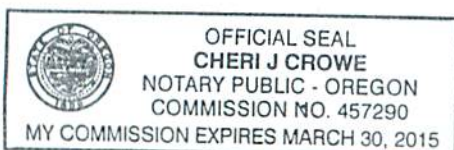
The envelope was addressed as follows:

MATTHEW A. SOLOMON, D.O.  
707 SW Washington Street, Suite 700  
Portland, OR 97204

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 5 day of January, 2015  
by Mary Brodbeck. Mary Brodbeck

Cheri J Crowe  
Notary Public for Oregon



X [Signature]  
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314255\*

COPY

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. 15CV00583

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Kristin Siegrist, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

By delivering the aforementioned documents to MATTHEW A. SOLOMON D.O., personally and in person, at 1400 NW Irving Street #731, Portland, OR 97209 on February 08, 2015 at 10:50 AM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 10<sup>th</sup> day of FEBRUARY, 20 15.



\*314755\*

X   
\_\_\_\_\_  
Kristin Siegrist  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Timothy Mason, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

OFFICE SERVICE - Pursuant to ORCP7D(2)(c):

Upon **MATTHEW A. SOLOMON, D.O.**, by leaving such true copy at the office MATTHEW A. SOLOMON, D.O. maintains for the conduct of business with Samia Haddad, who is the person apparently in charge, at 707 SW Washington Street, Suite 700, Portland, OR 97204 on January 29, 2015 at 3:30 PM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 29 day of Feb, 2015.



\*314255\*

X  
Timothy Mason  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW A.  
SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

TO: MATTHEW A. SOLOMON, D.O.  
1400 NW Irving Street, Apt. 731  
Portland, OR 97209

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

**ROBERT S. PERKINS** **OSB#84081**  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

**4949 Meadows Rd, Suite 400**  
ADDRESS

**Lake Oswego, Oregon** **97035** **(503) 222-4449**  
CITY STATE ZIP PHONE

TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
\_\_\_\_\_  
ATTORNEY(S) FOR PLAINTIFF(S)

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW A.  
SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

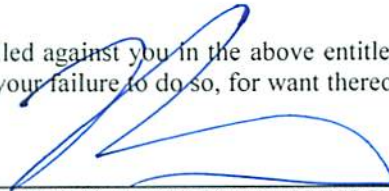
TO: MATTHEW A. SOLOMON, D.O.  
Oregon Anesthesiology Group, PC  
120 NW 14<sup>th</sup> Avenue, Suite 300  
Portland, OR 97209

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

ROBERT S. PERKINS OSB#84081  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

4949 Meadows Rd, Suite 400  
\_\_\_\_\_  
ADDRESS

Lake Oswego, Oregon 97035 (503) 222-4449  
CITY STATE ZIP PHONE

\_\_\_\_\_  
TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
\_\_\_\_\_  
ATTORNEY(S) FOR PLAINTIFF(S)



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW A.  
SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

TO: WILLIAM LONG, M.D.  
Pacific Surgical, PC  
501 North Graham Street, Suite 580  
Portland, OR 97227

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

**ROBERT S. PERKINS** OSB#84081  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

4949 Meadows Rd, Suite 400  
ADDRESS

Lake Oswego, Oregon 97035 (503) 222-4449  
CITY STATE ZIP PHONE

TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

ATTORNEY(S) FOR PLAINTIFF(S)

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Bill Geary, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint;*

OFFICE SERVICE - Pursuant to ORCP7D(2)(c):

Upon **WILLIAM LONG, M.D.**, by leaving such true copy at the office WILLIAM LONG, M.D. maintains for the conduct of business with Jody Grayson, who is the person apparently in charge, at 501 North Graham Street, Suite 580, Portland, OR 97227 on January 26, 2015 at 3:30 PM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 28<sup>th</sup> day of Jan, 2015.



\*314249\*

X

Bill Geary  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

AFFIDAVIT OF MAILING

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On January 27, 2015, I mailed a true copy of the Summons and Complaint; via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to WILLIAM LONG, M.D..

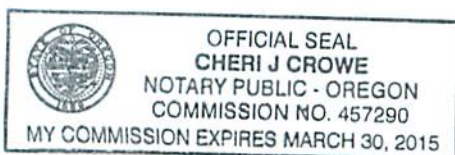
The envelope was addressed as follows:

WILLIAM LONG, M.D.  
501 North Graham Street, Suite 580  
Portland, OR 97227

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 27 day of January, 20 15  
by Mary Brodbeck.

Cheri J Crowe  
Notary Public for Oregon



X [Signature]  
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314249\*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW A.  
SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

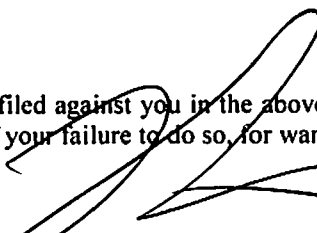
TO: MELISSA RADECKI, M.D.  
OHSU Hospital  
3181 SW Sam Jackson Park Road, #L340  
Portland, OR 97239

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF  
**ROBERT S. PERKINS** OSB#84081  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)  
**4949 Meadows Rd, Suite 400**  
ADDRESS  
**Lake Oswego, Oregon 97035 (503) 222-4449**  
CITY STATE ZIP PHONE  
\_\_\_\_\_  
TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

\_\_\_\_\_  
ATTORNEY(S) FOR PLAINTIFF(S)

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Michael McLaughlin, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

OFFICE SERVICE - Pursuant to ORCP7D(2)(c):

Upon **MELISSA RADECKI M.D.**, by leaving such true copy at the office MELISSA RADECKI M.D. maintains for the conduct of business with NICOLE LEE, who is the person apparently in charge, at 3181 SW Sam Jackson Park Rd., Baird Hall, Portland, OR 97201 on February 04, 2015 at 1:02 PM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 10<sup>th</sup> day of February, 2015.



\*314523\*

X   
Michael McLaughlin  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

AFFIDAVIT OF MAILING

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On February 05, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to MELISSA RADECKI M.D..

The envelope was addressed as follows:

MELISSA RADECKI M.D.  
3181 SW Sam Jackson Park Rd., Baird Hall  
Portland, OR 97201

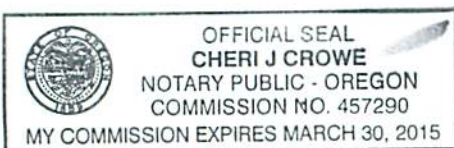
I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 5 day of February 2015  
by Mary Brodbeck.

Cheri J Crowe

Notary Public for Oregon

X   
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314523\*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. 15CV00583

AFFIDAVIT OF MAILING

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On January 27, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to RONALD BARBOSA, M.D..

The envelope was addressed as follows:

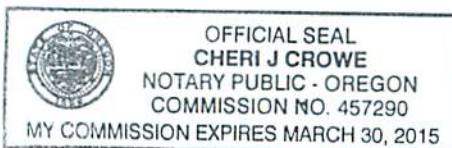
RONALD BARBOSA, M.D.  
501 North Graham Street, Suite 580  
Portland, OR 97227

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 27 day of January, 2015  
by Mary Brodbeck.

Cheri J Crowe  
Notary Public for Oregon

X [Signature]  
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314258\*



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW A.  
SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

TO: RONALD BARBOSA, M.D.  
Pacific Surgical, PC  
501 N. Graham Street, Suite 580  
Portland, OR 97227

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

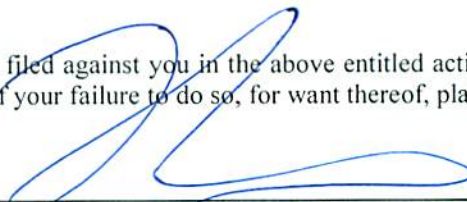
**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.



SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

ROBERT S. PERKINS OSB#84081  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

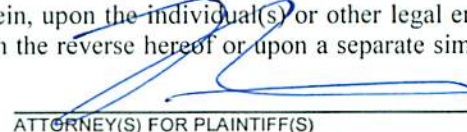
4949 Meadows Rd, Suite 400  
ADDRESS

Lake Oswego, Oregon 97035 (503) 222-4449  
CITY STATE ZIP PHONE

TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.



ATTORNEY(S) FOR PLAINTIFF(S)



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Bill Geary, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

OFFICE SERVICE - Pursuant to ORCP7D(2)(c):

Upon **RONALD BARBOSA, M.D.**, by leaving such true copy at the office RONALD BARBOSA, M.D. maintains for the conduct of business with Jody Grayson, who is the person apparently in charge, at 501 North Graham Street, Suite 580, Portland, OR 97227 on January 26, 2015 at 3:30 PM.

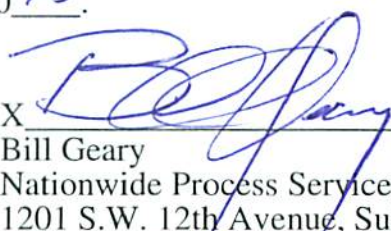
I declare under the penalty of perjury that the above statement is true and correct.

Dated this 28<sup>th</sup> day of Jan, 20 15.



\*314250\*

X

  
Bill Geary  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. 15CV00583

AFFIDAVIT OF MAILING

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On February 05, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to John E. Gustavson.

The envelope was addressed as follows:

John E. Gustavson, Registered Agent for  
RADIOLOGY CONSULTANTS INC  
2801 N. Gantenbein Ave.  
Portland, OR 97227

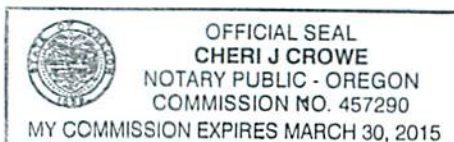
I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 6 day of February, 2015  
by Mary Brodbeck.

Cheri J Crowe  
Notary Public for Oregon

X

Mary Brodbeck  
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314258\*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Bill Geary, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

Upon **RADIOLOGY CONSULTANTS INC.**, by leaving such true copy, personally and in person, with WAHID WOLDESELASSIE, who is the person apparently in charge at the office of John E. Gustavson, who is the Registered Agent thereof, at 2801 N. Gantenbein Ave., Portland, OR 97227 on February 04, 2015 at 3:15 PM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 6<sup>th</sup> day of Feb, 20 15.



\*314258\*

X

Bill Geary  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW  
A. SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

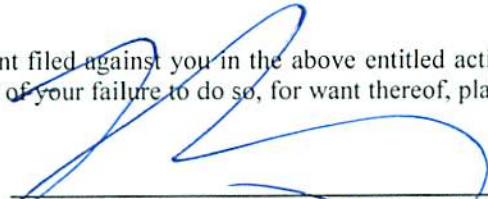
TO: RADIOLOGY CONSULTANTS, INC.  
c/o John E. Gustavson, Registered Agent  
2701 NW Vaughn Street, Suite 425  
Portland, OR 97210

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF  
**ROBERT S. PERKINS** OSB#84081  
\_\_\_\_\_  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)  
4949 Meadows Rd, Suite 400  
\_\_\_\_\_  
ADDRESS  
Lake Oswego, Oregon 97035 (503) 222-4449  
\_\_\_\_\_  
CITY STATE ZIP PHONE  
\_\_\_\_\_  
TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
\_\_\_\_\_  
ATTORNEY(S) FOR PLAINTIFF(S)

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW A.  
SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

SUMMONS

TO: K. DEAN GUBLER, D.O.  
Pacific Surgical, PC  
501 North Graham Street, Suite 580  
Portland, OR 97227

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

ROBERT S. PERKINS OSB#84081  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

4949 Meadows Rd, Suite 400  
ADDRESS

Lake Oswego, Oregon 97035 (503) 222-4449  
CITY STATE ZIP PHONE

TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

ATTORNEY(S) FOR PLAINTIFF(S)



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Bill Geary, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

OFFICE SERVICE - Pursuant to ORCP7D(2)(c):

Upon **K. DEAN GUBLER, D.O.**, by leaving such true copy at the office K. DEAN GUBLER, D.O. maintains for the conduct of business with Jody Grayson, who is the person apparently in charge, at 501 North Graham Street, Suite 580, Portland, OR 97227 on January 26, 2015 at 3:30 PM.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 28<sup>th</sup> day of Jan, 2015.



\*314252\*

X   
Bill Geary  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

AFFIDAVIT OF MAILING

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On January 27, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to K. DEAN GUBLER, D.O..

The envelope was addressed as follows:

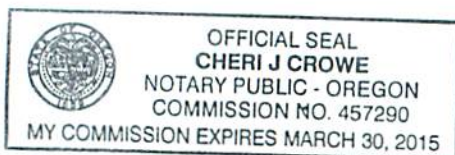
K. DEAN GUBLER, D.O.  
501 North Graham Street, Suite 580  
Portland, OR 97227

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 27 day of January, 2015  
by Mary Brodbeck.

Cheri J Crowe  
Notary Public for Oregon

X   
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314252\*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Bill Geary, hereby certify that I am a competent person 18 years of age or older, a resident of the State of Oregon and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

OFFICE SERVICE - Pursuant to ORCP7D(2)(c):

Upon **JAMES GILMORE, M.D.**, by leaving such true copy at the office JAMES GILMORE, M.D. maintains for the conduct of business with Christine Logan, who is the person apparently in charge, at 2801 North Gantenbein Ave., Portland, OR 97227 on January 26, 2015 at 3:55 PM.

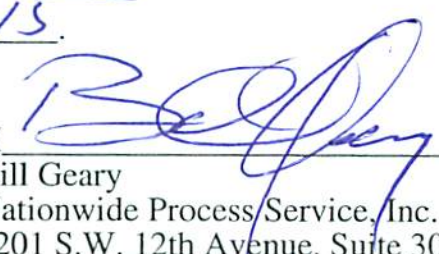
I declare under the penalty of perjury that the above statement is true and correct.

Dated this 28<sup>th</sup> day of Jan, 2015.



\*314251\*

X

  
Bill Geary  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. **15CV00583**

**AFFIDAVIT OF MAILING**

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On January 27, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to JAMES GILMORE, M.D..

The envelope was addressed as follows:

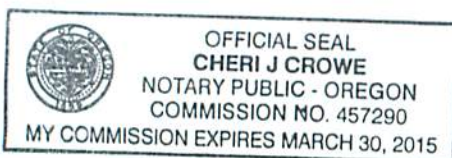
JAMES GILMORE, M.D.  
2801 North Gantenbein Ave.  
Portland, OR 97227

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 27 day of January, 2015  
by Mary Brodbeck.

Cheri J Crowe  
Notary Public for Oregon

X   
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314251\*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER,  
doing business as LEGACY EMANUEL MEDICAL  
CENTER; OREGON ANESTHESIOLOGY GROUP, PC;  
PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC NEUROSURGICAL,  
P.C.; JEFFERSON CHEN M.D.; MATTHEW A.  
SOLOMON, D.O.; K. DEAN GUBLER, D.O.; JAMES  
GILMORE, M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

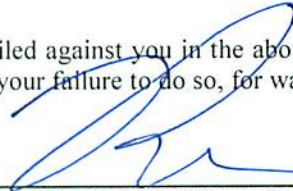
TO: JAMES GILMORE, M.D.  
Legacy Emanuel Radiology  
2801 North Gantenbein Avenue  
Portland, OR 97227

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

**ROBERT S. PERKINS** OSB#84081  
\_\_\_\_\_  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

**4949 Meadows Rd, Suite 400**  
\_\_\_\_\_  
ADDRESS

**Lake Oswego, Oregon 97035 (503) 222-4449**  
\_\_\_\_\_  
CITY STATE ZIP PHONE

\_\_\_\_\_  
TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
\_\_\_\_\_  
ATTORNEY(S) FOR PLAINTIFF(S)

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Plaintiff,

v.

LEGACY EMANUEL HOSPITAL &  
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PACIFIC SURGICAL, PC; RADIOLOGY  
CONSULTANTS, INC.; PACIFIC  
NEUROSURGICAL, P.C.; JEFFERSON  
CHEN M.D.; MATTHEW A. SOLOMON, D.O.;  
K. DEAN GUBLER, D.O.; JAMES GILMORE,  
M.D.; MELISSA RADECKI, M.D.; RONALD  
BARBOSA, M.D.; JOSEPH WILLIAMS,  
M.D.; WILLIAM LONG, M.D.; KAISER  
FOUNDATION HEALTH PLAN OF THE  
NORTHWEST, doing business as KAISER  
PERMANENTE

Defendants.

Case No. 15CV00583

**AMENDED COMPLAINT**  
(Medical Negligence)

**Request for Jury Trial**

**Claim Amount: \$818,390.58**

**CLAIM NOT SUBJECT TO MANDATORY  
ARBITRATION**

Plaintiff Pamela F. Monette for her First Cause of Action against all defendants, except

Kaiser Foundation Health Plan of the Northwest, alleges as follows:

THE PARTIES

1.

At all times mentioned herein, **Legacy Emanuel Hospital & Health Center**,  
(hereinafter "defendant hospital"), was doing business as Legacy Emanuel Medical Center, and  
is an active corporation formed under the laws of the State of Oregon, engaged in the business of



owning and operating hospitals, medical centers and medical clinics and providing emergency, inpatient and outpatient treatment to patients in Multnomah County.

2.

At all times mentioned herein, defendant hospital held itself out to plaintiff and the patient public as a Level 1 Trauma Center which diagnosed and coordinated care of trauma patients through its specialists in emergency medicine, surgical and critical care medicine, radiology and anesthesiology. Defendant hospital provided treatment to plaintiff through its physicians, staff, employees and agents, both actual and apparent.

3.

At all times mentioned herein, defendant **Oregon Anesthesiology Group, PC** (hereinafter “defendant OAG”), was a professional corporation licensed in the state of Oregon and providing anesthesiology medical care to patients at defendant hospital through the actions of physicians either employed by or otherwise engaged as agents for both defendant OAG and defendant hospital.

4.

At all times mentioned herein, defendant **Radiology Consultants, Inc.** (hereinafter “defendant RCI”), was a domestic private corporation licensed in the state of Oregon and providing radiology medical care to patients at defendant hospital through the actions of physicians either employed by or otherwise engaged as agents for both defendant RCI and defendant hospital.

5.

At all times mentioned herein, defendant **Pacific Surgical, PC** (hereinafter “Pacific”), was a professional Corporation licensed in the state of Oregon and providing surgical and critical

1 medical care to patients at defendant hospital through the actions of physicians either employed  
2 by or otherwise engaged as agents for both defendant Pacific and defendant hospital.

3 6.

4 At all times mentioned herein, defendant **Pacific Neurosurgical, PC** (hereinafter  
5 “PNeurosurgical”), was a professional Corporation licensed in the state of Oregon and providing  
6 surgical and critical medical care to patients at defendant hospital through the actions of  
7 physicians either employed by or otherwise engaged as agents for both defendant PNeurosurgical  
8 and defendant hospital.

9 7.

10 At all times mentioned herein, defendant **Matthew R. Solomon, DO** was a physician,  
11 duly licensed to practice medicine within the state of Oregon, and practicing the medical  
12 specialty of emergency medicine and anesthesiology.

13 8.

14 At all times mentioned herein, defendant Solomon was acting either as an employee or  
15 agent of either hospital or defendant OAG, or both, and acting within the course and scope of his  
16 employment and/or agency and as part of defendant hospital’s Level 1 Trauma Center.

17 9.

18 At all times mentioned herein, defendant **Jefferson Chen, MD** was a physician, duly  
19 licensed to practice medicine within the state of Oregon, and practicing the medical specialty of  
20 neurosurgery.

21 10.

22 At all times mentioned herein, defendant Chen was acting either as an employee or agent  
23 of either hospital or defendant PNeurosurgical, or both, and acting within the course and scope of  
24 his employment and/or agency and as part of defendant hospital’s Level 1 Trauma Center.

11

At all times mentioned herein, defendant **K. Dean Gubler, DO** was a physician, duly licensed to practice medicine within the state of Oregon, and practicing the medical specialty of trauma surgery and critical care medicine.

12

At all times mentioned herein, defendant Gubler, DO was acting either as an employee or agent of either defendant hospital or defendant Pacific, or both, and acting within the course and scope of his employment and/or agency and as part of defendant hospital's Level 1 Trauma Center.

13.

At all times mentioned herein, defendant **James Gilmore, MD** was a physician, duly licensed to practice medicine within the state of Oregon, and practicing the medical specialty of radiology.

14.

At all times mentioned herein, defendant Gilmore was acting either as an employee or agent of either hospital or defendant RCI, or both, and acting within the course and scope of his employment and/or agency and as part of defendant hospital's Level 1 Trauma Center.

15.

At all times mentioned herein, defendant **Melissa Radecki, MD** was a physician, duly licensed to practice medicine within the state of Oregon, and practicing the medical specialty of emergency medicine and critical care medicine.

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1 16.

2 At all times mentioned herein, defendant Radecki was acting either as an employee or  
3 agent of defendant hospital and acting within the course and scope of her employment and/or  
4 agency and as part of defendant hospital's Level 1 Trauma Center.

5 17.

6 At all times mentioned herein, defendant **Ronald Barbosa, MD** was a physician, duly  
7 licensed to practice medicine within the state of Oregon, and practicing the medical specialty of  
8 emergency medicine and critical care medicine.

9 18.

10 At all times mentioned herein, defendant Barbosa was acting either as an employee or  
11 agent of defendant hospital and acting within the course and scope of his employment and/or  
12 agency and as part of defendant hospital's Level 1 Trauma Center.

13 19.

14 At all times mentioned herein, defendant **Joseph Williams, MD** was a physician, duly  
15 licensed to practice medicine within the state of Oregon, and practicing the medical specialty of  
16 emergency medicine and critical care medicine.

17 20.

18 At all times mentioned herein, defendant Williams was acting either as an employee or  
19 agent of defendant hospital and acting within the course and scope of his employment and/or  
20 agency and as part of defendant hospital's Level 1 Trauma Center.

21 21.

22 At all times mentioned herein, defendant **William Long, MD** was a physician, duly  
23 licensed to practice medicine within the state of Oregon, and practicing the medical specialty of  
24 emergency medicine and critical care medicine.

1 22.

2 At all times mentioned herein, defendant Long was acting either as an employee or agent  
3 of defendant hospital and acting within the course and scope of his employment and/or agency  
4 and as part of defendant hospital's Level 1 Trauma Center.

5 23.

6 On January 10, 2013 through February 4, 2013, plaintiff Pamela Monette, was a patient  
7 receiving medical care from defendant hospital and defendant physicians.

#### 8 ACTS AND OMISSIONS

9 24.

10 On January 10, 2013, plaintiff sustained a head injury in a fall and was taken to the  
11 emergency department of defendant hospital where she received examination, diagnosis and  
12 treatment for a traumatic brain injury. Plaintiff had a medical history of a previous gastric bypass  
13 surgery that was disclosed to defendant Chen, defendant Solomon, and attending nurses at the  
14 emergency department of defendant hospital on that same date.

15 25.

16 On the above date and time, in the course of plaintiff's emergency medical care at  
17 defendant hospital, defendant Solomon placed an orogastric feeding tube into plaintiff's stomach  
18 causing a perforation of the gastric bypass pouch and further injury to plaintiff.

19 26.

20 On the above date and time, following placement of the orogastric tube, a CT scan and  
21 xray were taken of the area of tube placement. The imaging revealed the incorrect positioning of  
22 the orogastric tube and perforation injury. Despite the imaging results, defendant hospital's staff  
23 and/or aforementioned treating defendant physicians initiated feeding through the tube, causing  
24 the food infused to be deposited into the wound and surrounding area, causing further injury.

27.

On January 11, 2013 through January 18, 2013 repeat xrays were taken that revealed the incorrect positioning of orogastric tube placement. Despite the imaging results, enteral tube feeding continued and the incorrect positioning of the tube and the perforation injury remained undetected until January 18, 2013.

28.

At the times and dates mentioned above defendant hospital was negligent in the care and treatment of plaintiff, their patient, in one or more of the following particulars:

1. In failing to determine and consider patient's gastric bypass surgery history before attempting to insert and position a orogastric tube into plaintiff's stomach;
2. In positioning improperly the orogastric tube causing perforation of plaintiff's gastric pouch and further injuries;
3. In failing to place the orogastric tube in the gastric pouch;
4. In failing to discover that the orogastric tube had been incorrectly positioned into the stomach and had caused a perforation of the gastric pouch;
5. In initiating enteral feeds before correct placement of the orogastric tube was verified by radiology;
6. In initiating and continuing enteral feeds when radiology revealed incorrect placement of the orogastric tube;
7. In failing to use a fluoroscope to guide placement of a orogastric tube into plaintiff's gastric pouch due to anatomic changes from gastric bypass surgery;
8. In failing to have policies and procedures in place to coordinate and communicate radiology findings and reports that disclosed the incorrect positioning of the orogastric



tube to the team of physicians and staff providing critical care to plaintiff in the emergency room and intensive care unit;

9. In failing to diagnose that the orogastric tube was incorrectly positioned upon receipt of subsequent xray and CT scan imaging and/or reports and failing to diagnose that plaintiff had sustained a perforation injury from the apparent incorrect placement of the orogastric tube;

10. In failing to have policies and procedures in place to coordinate communication and charting of plaintiff's history of previous gastric bypass to be considered by the team of physicians and staff providing critical care to plaintiff in the emergency room and intensive care unit.

29.

At the times and dates mentioned above defendant physicians were negligent in the care and treatment of plaintiff, their patient, in one or more of the following particulars:

1. In failing to determine and consider patient's gastric bypass surgery history before attempting to insert a orogastric tube into plaintiff's stomach;
2. In positioning improperly the orogastric tube causing perforation of plaintiff's gastric pouch and further injuries;
3. In failing to place the orogastric tube in the gastric pouch;
4. In failing to discover that the orogastric tube had been incorrectly positioned into the stomach and had caused a perforation of the gastric pouch;
5. In initiating enteral feeds before correct placement of the orogastric tube was verified by radiology.
6. In initiating and continuing enteral feeds when radiology revealed incorrect placement of the orogastric tube;

- 1 7. In failing to use a fluoroscope to guide placement of a orogastric tube into plaintiff's
- 2 gastric pouch due to anatomic changes from gastric bypass surgery;
- 3 8. In failing to have policies and procedures in place to coordinate and communicate
- 4 radiology findings and reports that disclosed the incorrect positioning of the orogastric
- 5 tube to the team of physicians and staff providing critical care to plaintiff in the
- 6 emergency room and intensive care unit.
- 7 9. In failing to diagnose that the orogastric tube was incorrectly positioned upon receipt of
- 8 subsequent xray and CT scan imaging and/or reports and failing to diagnose that plaintiff
- 9 had sustained a perforation injury from the apparent incorrect placement of the orogastric
- 10 tube.
- 11

12 30.

13 As a direct and proximate result of defendants' negligence, the orogastric tube's incorrect  
 14 placement caused perforation of plaintiff's gastric bypass pouch, stomach and viscus. The eight  
 15 day delay in discovery and diagnosis of the perforation injury caused plaintiff to further suffer  
 16 pneumoperitoneum and multiple abscesses, all said injuries requiring two corrective surgeries  
 17 and an extended hospitalization.

18 31.

19 As a direct and proximate result of the above described acts and omissions of defendants,  
 20 plaintiff sustained the described permanent physical injury with resulting physical and mental  
 21 pain, suffering, nausea, vomiting, related emotional distress, depression, and anxiety,  
 22 interference with personal and family life, including inability and/or interference with ability to  
 23 perform daily activities, surgical scars, all causing plaintiff noneconomic damages in a fair and  
 24 reasonable amount not to exceed the sum of \$250,000.00.  
 25  
 26

32.

As a further direct and proximate result of the above described acts and omissions of the defendants, plaintiff has sustained and incurred reasonable and necessary medical expenses for the treatment of the perforation and treatment of related further injuries and conditions described above, including the expense of two corrective surgeries and extended hospitalization, resulting in economic damages in an amount not yet determined but not exceeding total costs of medical treatment and services incurred during the above described hospitalization, a sum of \$568,390.58, plus plaintiff may incur additional medical expenses in the future, both to be alleged specificity herein upon determination and prior to trial.

33.

As a further direct and proximate result of the above described acts and omissions of the defendants, medical expenses plaintiff incurred relating to the placement and use of the orogastric tube, including enteral feeds, were of no value, and plaintiff is therefore entitled to recover all fees incurred by plaintiff relating to said treatment, an amount of economic damages not yet determined, that is a portion of the total costs of past medical treatment referenced above, an amount not greater than \$568,390.58.

34.

As a further direct and proximate result of the above described acts and omissions of the defendants, plaintiff's treatment charges were unpaid by her health insurer, referred to collection, and plaintiff was sued by a collection agency, causing damage to her credit and further causing her to incur attorney fees in defense of that action, all to her economic damage in an amount not in excess of \$10,000.00.

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SECOND CLAIM FOR RELIEF

Plaintiff, for her second and alternate cause of action, against **Kaiser Foundation Health Plan of the Northwest** only, alleges as follows:

35.

Plaintiff realleges Paragraphs one through thirty three.

36.

At all times material herein, defendant **Kaiser Foundation Health Plan of the Northwest, doing business as Kaiser Permanente (hereinafter "Kaiser")** is an Oregon corporation and provider of health insurance and the provider of plaintiff's health insurance (hereinafter "health plan") duly formed and authorized to do business in the state of Oregon.

37.

Ms. Monette, directly and by and through her providers, submitted her treatment charges set forth at paragraph 33 to Kaiser for payment under her health plan coverage. Kaiser has denied responsibility for a substantial amount of those charges and refused to make payment of the billings for charges Ms. Monette's incurred for medical treatment received at the above referenced hospitalization in a sum of \$396,812.70.

38.

Kaiser has denied responsibility for the charges incurred by Ms. Monette upon the basis that the orogastric feeding tube placement technique used at the emergency department was inappropriate and the resulting injury, need for care and expense incurred could have been prevented and avoided had the feeding tube been properly placed, and improper position detected from chest xrays and a CT scan taken on the day of placement.

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39.

If it is determined in this action that the charges for which payment was denied were not for inappropriate care and/or otherwise incurred as a result of medical negligence, and under terms of the health plan should have been paid, Kaiser is in breach of the health plan, and plaintiff has incurred economic damages in the sum of all covered amounts, a sum not exceeding \$396,812.70.

40.

As a further consequence of Kaiser's breach, plaintiff's treatment charges remained unpaid, were referred to collection, and plaintiff was sued by a collection agency, causing damage to her credit and further causing her to incur attorney fees in defense of that action, all to her added economic damage in an amount not in excess of \$10,000.00.

41.

Plaintiff has paid all premiums due under her health plan and all conditions precedent to Kaiser's duty to perform have otherwise occurred.

WHEREFORE, plaintiff prays for judgment as follows:

- a) for her FIRST CLAIM for RELIEF judgment against all defendants, except Kaiser Foundation Health Plan of the Northwest, for economic damages in an amount not to exceed \$568,390.58, plus economic damages for reasonable and necessary future medical expense, plus noneconomic damages not to exceed \$250,000.00, together with plaintiff's costs and disbursements incurred herein; or, in the alternative,

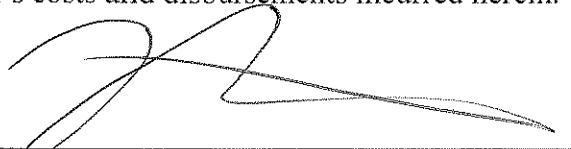
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1 b) for her SECOND CLAIM for RELIEF, judgment against Kaiser Foundation Health  
2 Plan of the Northwest for economic damages in an amount not to exceed  
3 \$406,812.70, together with plaintiff's costs and disbursements incurred herein.

4 DATED: March 18, 2015.

5   
6 Robert S. Perkins, OSB No. 840814  
7 Of Attorneys for Plaintiff  
8 Trial Attorney: Robert S. Perkins, OSB No. 840814  
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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE

Case No. 15CV00583

Plaintiff,

## SUMMONS

v.

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CONSULTANTS, INC.; PACIFIC NEUROSURGICAL, P.C.;  
JEFFERSON CHEN M.D.; MATTHEW A. SOLOMON, D.O.;  
K. DEAN GUBLER, D.O.; JAMES GILMORE, M.D.;  
MELISSA RADECKI, M.D.; RONALD BARBOSA, M.D.;  
JOSEPH WILLIAMS, M.D.; WILLIAM LONG, M.D.;  
KAISER FOUNDATION HEALTH PLAN OF THE  
NORTHWEST, doing business as KAISER PERMANENTE

Defendants.

TO: KAISER FOUNDATION HEALTH PLAN OF THE NORTHWEST  
c/o The Prentice-Hall Corporation System, Inc.  
285 Liberty Street NE  
Salem, OR 97301

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

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SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

ROBERT S. PERKINS

OSB#84081

ATTORNEY'S / AUTHOR'S NAME

BAR NO. (IF ANY)

4949 Meadows Rd, Suite 400

ADDRESS

Lake Oswego, Oregon 97035 (503) 222-4449

CITY STATE ZIP PHONE

TRIAL ATTORNEY IF OTHER THAN ABOVE

BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

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FOUNDATION HEALTH PLAN OF THE  
NORTHWEST, doing business as KAISER  
PERMANENTE

Defendants.

Case No. 15CV00583

**DECLARATION RE PROOF OF SERVICE**

1. I am the attorney for Plaintiff, Pamela F. Monette.

2. Defendant Kaiser Foundation Healthplan of the Northwest was duly and regularly served with Summons and Complaint by service in accordance with ORCP 7D(3)(b)(ii)(C) and completed on March 31, 2015 as follows:

(a) Mailings of certified true copies of process on March 27, 2015, by regular and certified mail, to Kaiser Foundation Healthplan of the Northwest, accepted on March 31, 2015.

True copies of the return receipts are enclosed as Exhibit "A."



1 I hereby declare that the above statement is true to the best of my knowledge and belief,  
2 that I understand it is made for use as evidence in court and is subject to penalty for perjury.

3 DATED this 3<sup>rd</sup> day of April, 2015.

4  
5 By:



Robert S. Perkins, OSB No. 84081  
Of Attorneys for Plaintiff

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ 1.90
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	3.30
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 6.90</b>

Postmark: MAR 31 2015  
 EVERGREEN DCU-BEAVERTON, OR  
 USPS-133

Sent to:  
 c/o The Prentice-Hall Corp. System, Inc.  
 Street, Apt. No.,  
 or PO Box No. 285 Liberty Street NE  
 City, State, ZIP+4 Salem, OR 97301

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		1. Signature <i>Lisa Richards</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
2. Article Addressed to: Kaiser Foundation Healthplan of the Northwest c/o The Prentice-Hall Corporation System, Inc. 285 Liberty Street NE Salem, OR 97301		B. Received by (Printed Name) C. Date of Delivery MAR 31 2015	
3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail		<input type="checkbox"/> Priority Mail Express™ <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes			
2. Article Number (Transfer from service label)		7014 1200 0001 1700 4677	
PS Form 3811, July 2013		Domestic Return Receipt	

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
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BARBOSA, M.D.; JOSEPH WILLIAMS, M.D.; WILLIAM  
LONG, M.D.

Defendants.

Case No. 15CV00583

**SUMMONS**

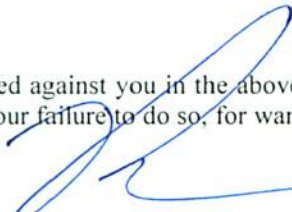
TO: JEFFERSON W. CHEN, MD  
PACIFIC SURGICAL, PC  
501 North Graham Street, #580  
Portland, OR 97227

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AUTHOR FOR PLAINTIFF

ROBERT S. PERKINS OSB#84081  
\_\_\_\_\_  
ATTORNEY'S / AUTHOR'S NAME BAR NO. (IF ANY)

4949 Meadows Rd, Suite 400  
\_\_\_\_\_  
ADDRESS

Lake Oswego, Oregon 97035 (503) 222-4449  
\_\_\_\_\_  
CITY STATE ZIP PHONE

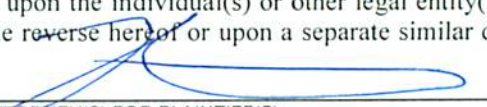
\_\_\_\_\_  
TRIAL ATTORNEY IF OTHER THAN ABOVE BAR NO.

STATE OF OREGON, County of Clackamas) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
\_\_\_\_\_  
ATTORNEY(S) FOR PLAINTIFF(S)

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. 15CV00583

AFFIDAVIT OF MAILING

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF OREGON  
County of Multnomah

ss.

I, Mary Brodbeck, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On March 06, 2015, I mailed a true copy of the Summons and Complaint via First Class Mail, postage pre-paid, together with a statement of the date, time and place at which service was made, to JEFFERSON W. CHEN, M.D. c/o Pacific Surgical, PC.

The envelope was addressed as follows:

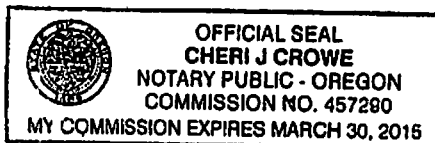
JEFFERSON W. CHEN, M.D. c/o Pacific Surgical, PC, for  
JEFFERSON W. CHEN, M.D.  
200 S. Manchester Avenue, #210  
Orange, CA 92868

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 6 day of March, 2015  
by Mary Brodbeck.

Cheri J Crowe  
Notary Public for Oregon

X [Signature]  
Mary Brodbeck  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636



\*314256\*



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PAMELA F. MONETTE,

Plaintiff,

vs.

Case No. 15CV00583

CERTIFICATE OF SERVICE

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER dba LEGACY EMANUEL MEDICAL  
CENTER; et al.,

Defendant.

STATE OF CALIFORNIA  
COUNTY OF ORANGE

ss.

I, Alan Thomas, hereby certify that I am a competent person 18 years of age or older, a resident of the STATE OF CALIFORNIA and that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise; that I made service of a true copy of:

*Summons and Complaint*

Upon JEFFERSON W. CHEN, M.D., by leaving such true copy, personally and in person, with Patty "Doe"\*, who is the person apparently in charge at the office of JEFFERSON W. CHEN, M.D. c/o Pacific Surgical, PC, who is the thereof, at 200 S. Manchester Avenue, #210, Orange, CA 92868 on March 05, 2015 at 10:46 AM.

\*At the time of service, she refused to provide her name.

I declare under the penalty of perjury that the above statement is true and correct.

Dated this 17<sup>th</sup> day of March, 2015.



\*314256\*

X Alan Thomas  
Alan Thomas  
Nationwide Process Service, Inc.  
1201 S.W. 12th Avenue, Suite 300  
Portland, OR 97205  
503-241-0636